



Kansas Bureau of Investigation

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EXECUTIVE SUMMARY

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The Kansas Sexual Assault Kit Initiative (SAKI):

Project Background and Overview

September 28, 2017

This project was supported by Grant No. 2015-AK-BX-K001 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

National Attention Driving Action in Kansas

Over the past few years, attention has mounted in various parts of the country regarding the large numbers of unsubmitted,¹ and therefore untested, sexual assault kits (SAKs) in law enforcement property rooms. Many law enforcement agencies are being asked why they possess unsubmitted SAKs. In jurisdictions such as Cleveland, OH, Detroit, MI, and Houston, TX the examination of unsubmitted SAKs has led to thousands of DNA profile matches in the Combined DNA Index System (CODIS), hundreds of rape indictments, and the identification of serial offenders (Campbell et al., 2004; Wells et al., 2013; Lovell et al., 2016).

This is a situation gaining national attention and it impacts not only law enforcement but also state and local forensic laboratories across the country. Some states have enacted legislative remedies to address unsubmitted SAK inventories, but few have appropriated funding to pay for this endeavor. As a result, jurisdictions are experiencing a strain on already limited resources.

Recognizing that Kansas is not exempt from this issue, the Kansas Bureau of Investigation (KBI) is proactively evaluating the number of unsubmitted SAKs statewide and, in turn, continues to ensure responsible management of our criminal justice resources.

Forming a Multidisciplinary Working Group

As recommended by other jurisdictions addressing the issue of unsubmitted SAKs, the KBI formed a multidisciplinary working group in 2014 as a means to provide input and perspective from each involved stakeholder of sexual assault cases. The Kansas multidisciplinary working group is composed of

¹ Unsubmitted SAKs are those collected as part of a reported sexual assault to law enforcement and have never been sent to a forensic laboratory for testing. This does not include anonymously collected SAKs.

representatives from law enforcement, forensic nursing, prosecution, victim advocacy and forensic laboratories.²

In addition to formally studying the number of unsubmitted SAKs statewide, the working group's mission includes evaluating financial, legal and systemic barriers regarding SAK testing; developing a proactive plan to reduce the number of previously unsubmitted SAKs in the state; and developing policy recommendations and best practices to prevent future accumulation of unsubmitted SAKs.

SAKI Grant Funding

In September 2015, the KBI was one of twenty recipients, nationwide, to receive the National Sexual Assault Kit Initiative (SAKI) Grant³ from the U.S. Department of Justice's Bureau of Justice Assistance. The goal of this three-year grant is to support a proactive, objective evaluation of the issues of previously unsubmitted SAKs in the State of Kansas through testing SAKs, arresting and prosecuting violent offenders, and supporting victims.

To evaluate and address an issue that has evolved over time is a complex process and continues to be a work in progress. The KBI will continue working with its partners to evaluate best practices, identify where change is needed and in developing a path forward. This is a systematic approach that will take time, especially while remaining cognizant of the immediate and ongoing needs of the criminal justice community.

Conducting a Statewide Initial Inventory

In August 2014, the KBI completed a comparative analysis between offense data from the Kansas Incident Based Reporting System and submitted SAK evidence to the KBI Forensic Science Laboratory. This analysis identified the possible existence of over 2,500 previously unsubmitted SAKs since 2010 within the state of Kansas.

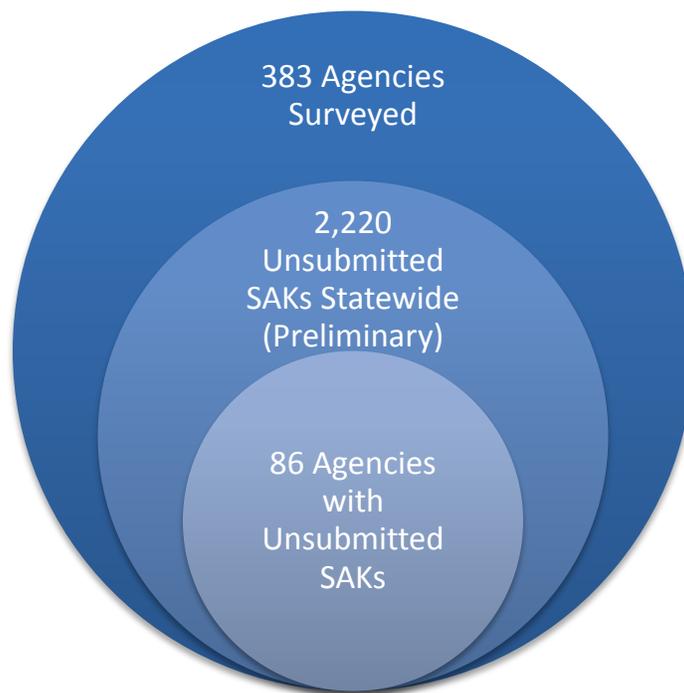
In order to understand the actual number of unsubmitted SAKs within Kansas, a formal evaluation was conducted through a voluntary survey of 383 local law enforcement agencies. In addition to questions about the total number of unsubmitted SAKs in the agency's possession, this survey was constructed to gather information regarding systematic and/or financial barriers impacting SAK submission.

Over the course of nearly three years and through the assistance of the multidisciplinary working group members, direct communications from the KBI and in-person contacts with chiefs and sheriffs, the KBI has completed an initial inventory. The voluntary participation from 100% of the agencies surveyed identified 2,220 previously unsubmitted SAKs from 86 local law enforcement agencies (see *Figure 1*). These kits range in age, with the oldest collected in 1989.

² Represented agencies include KBI, Office of the Kansas Attorney General, Sedgwick County Kansas Regional Forensic Science Center, Johnson County Sheriff's Office Criminalistics Laboratory, KBI Forensic Science Center, Kansas District and County Attorneys' Association, Kansas Sheriffs Association, Kansas Association of Chiefs of Police, Kansas Chapter of International Association of Forensic Nurses, and Kansas Coalition against Sexual and Domestic Violence.

³ The KBI was awarded a total of \$2,000,000.00 through the National SAKI Grant.

Figure 1: *Survey Results from Law Enforcement Agencies Identifying the Number of Previously Unsubmitted SAKs in Kansas*



Next Steps

The preliminary count of 2,220 unsubmitted SAKs was collected over the course of two years and has likely shifted due to a variety of factors. Because of this shift, and as required by the grant from the Bureau of Justice Assistance, the KBI has developed and initiated a formal plan to certify the statewide inventory. The results of this certification will provide a more accurate count of the current number of unsubmitted SAKs and provide additional case specific information from each agency. These agencies have been asked to provide a signed letter of certification and agree to submit all SAKs in their possession to the KBI Forensic Science Laboratory.

References:

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